

RECEIVED

FEB 22 2001

PTO/SB/29 (8/98)

Approved for use through 09/30/2000. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Collection of information unless it displays a valid OMB control number.

RECEIVED

FEB 22 2001

OFFICE OF PETITIONS

OFFICE OF PETITIONS

#10

Under the Paperwork Reduction Act of 1995, no persons are required to respond to this collection of information unless it displays a valid OMB control number.

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing
(Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

CHECK BOX, if applicable:

☐ DUPLICATE

Address to:

Box CPA
Commissioner for Patents
Washington, DC 20231

Attorney Docket No.

R11.12-0662

First Named Inventor

John A. Kielb

Examiner Name

J. Sotomayor

Group / Art Unit

3662

Express Mail Label No.

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. § 1.53(d),
(continued prosecution application (CPA)) of prior application number 09/347,683,
filed on July 2, 1999, entitled STABILIZATION IN A RADAR LEVEL GAUGE.

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 1.78(a).

1. ☐ Enter the unentered amendment previously filed on _____ under 37 C.F.R. § 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4)
 - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:

 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. ☒ PTO-1449
 - b. ☒ Copies of IDS Citations

(Page 1 of 2)

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231

00000015 09347683

710.00 BP
80.00

S

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37C.F.R. § 1.16(c))	16 - 20 =	0	x \$ 18 =	\$ 0.00
	INDEPENDENT CLAIMS (37C.F.R. § 1.16(c))	4 - 3 =	1	x \$ 80 =	80.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ _____ =	
				BASIC FEE (37 CFR 1.16(a))	710.00
	Total of above Calculations =				710.00
	Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27, 1.28).				
	TOTAL =				\$ 790.00

6. Small Entity Status:

- a. ☐ A small entity statement is enclosed.
 b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired
 c. ☐ Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge to the following fees to Deposit Account No. 23-1123 :

- a. ☒ Fees required under 37 C.F.R. § 1.16.
 b. ☒ Fees required under 37 C.F.R. § 1.17.
 c. ☐ Fees required under 37 C.F.R. § 1.18.

8. ☒ A check in the amount of \$790 is enclosed.

9. ☒ Other: Petition to Withdraw from Issue Under 37 CFR § 1.313(b)(5) and fee

NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

10. NEW CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☐ New Correspondence address below

Name

Address

City

State

Zip Code

Country

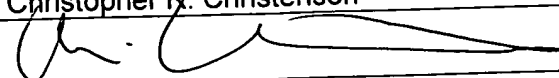
Telephone

Fax

Name (Print/Type)

Christopher R. Christenson

Signature



Registration No. (Attorney/Agent)

42,413

Date

February 21, 2001

FEE TRANSMITTAL		Complete if Known																																																																																																																																																					
		Application No.	09/347,683																																																																																																																																																				
		Filing Date	July 2, 1999																																																																																																																																																				
		First Named Inventor	John A. Kielb																																																																																																																																																				
		Title	STABILIZATION IN A RADAR LEVEL GAUGE																																																																																																																																																				
		Group Art Unit	3662																																																																																																																																																				
		Examiner Name	J. Sotomayor																																																																																																																																																				
Total Amount of Payment \$ 920		Atty. Docket Number	R11.12-0662																																																																																																																																																				
METHOD OF PAYMENT (Check One)		FEE CALCULATION (Continued)																																																																																																																																																					
<p>1. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fee required under 37 C.F.R. § 1.16 and 1.17, including any petition fee, and credit any over payments to Deposit Account No. <u>23-1123</u>. Westman, Champlin & Kelly, P.A.</p> <p>2. <input checked="" type="checkbox"/> Checks Enclosed</p>		<p>3. ADDITIONAL FEES</p> <table style="width: 100%; font-size: x-small;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee</th> <th>Fee</th> <th>Fee</th> <th>Fee</th> </tr> <tr> <th>Code</th> <th>(\$)</th> <th>Code</th> <th>(\$)</th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - Late filing fee or oath</td> <td></td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - Late provisional Filing Fee or cover sheet</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For Filing a Request for Reexamination</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>116</td> <td>390</td> <td>216</td> <td>195</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>890</td> <td>217</td> <td>445</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,390</td> <td>218</td> <td>695</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>1,890</td> <td>280</td> <td>945</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>120</td> <td>310</td> <td>220</td> <td>155</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>270</td> <td>221</td> <td>135</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>148</td> <td>110</td> <td>248</td> <td>55</td> <td>Terminal Disclaimer Fee</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to Revive - unavoidable</td> <td></td> </tr> <tr> <td>141</td> <td>1,240</td> <td>241</td> <td>620</td> <td>Petition to Revive - unintentional</td> <td></td> </tr> <tr> <td>142</td> <td>1,270</td> <td>242</td> <td>650</td> <td>Utility/Reissue issue fee (inc. advance copies)</td> <td></td> </tr> <tr> <td>143</td> <td>470</td> <td>243</td> <td>250</td> <td>Design issue fee (inc. advance copies)</td> <td></td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> <td>130</td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50</td> <td>Petitions related to provisional applications</td> <td></td> </tr> <tr> <td>126</td> <td>240</td> <td>126</td> <td>240</td> <td>Submission of Information Disclosure Statement</td> <td></td> </tr> <tr> <td>581</td> <td>40</td> <td>581</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td colspan="6">Other Fee (specify) _____</td> </tr> <tr> <td colspan="5" style="text-align: right;">Subtotal (3) \$130</td> <td></td> </tr> </tbody> </table>		Large Entity		Small Entity		Fee Description	Fee Paid	Fee	Fee	Fee	Fee	Code	(\$)	Code	(\$)			105	130	205	65	Surcharge - Late filing fee or oath		127	50	227	25	Surcharge - Late provisional Filing Fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For Filing a Request for Reexamination		115	110	215	55	Extension for reply within first month		116	390	216	195	Extension for reply within second month		117	890	217	445	Extension for reply within third month		118	1,390	218	695	Extension for reply within fourth month		128	1,890	280	945	Extension for reply within fifth month		120	310	220	155	Filing a brief in support of an appeal		121	270	221	135	Request for oral hearing		148	110	248	55	Terminal Disclaimer Fee		140	110	240	55	Petition to Revive - unavoidable		141	1,240	241	620	Petition to Revive - unintentional		142	1,270	242	650	Utility/Reissue issue fee (inc. advance copies)		143	470	243	250	Design issue fee (inc. advance copies)		122	130	122	130	Petitions to the Commissioner	130	123	50	123	50	Petitions related to provisional applications		126	240	126	240	Submission of Information Disclosure Statement		581	40	581	40	Recording each patent assignment per property (times number of properties)		Other Fee (specify) _____						Subtotal (3) \$130					
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																		
Fee	Fee	Fee	Fee																																																																																																																																																				
Code	(\$)	Code	(\$)																																																																																																																																																				
105	130	205	65	Surcharge - Late filing fee or oath																																																																																																																																																			
127	50	227	25	Surcharge - Late provisional Filing Fee or cover sheet																																																																																																																																																			
139	130	139	130	Non-English specification																																																																																																																																																			
147	2,520	147	2,520	For Filing a Request for Reexamination																																																																																																																																																			
115	110	215	55	Extension for reply within first month																																																																																																																																																			
116	390	216	195	Extension for reply within second month																																																																																																																																																			
117	890	217	445	Extension for reply within third month																																																																																																																																																			
118	1,390	218	695	Extension for reply within fourth month																																																																																																																																																			
128	1,890	280	945	Extension for reply within fifth month																																																																																																																																																			
120	310	220	155	Filing a brief in support of an appeal																																																																																																																																																			
121	270	221	135	Request for oral hearing																																																																																																																																																			
148	110	248	55	Terminal Disclaimer Fee																																																																																																																																																			
140	110	240	55	Petition to Revive - unavoidable																																																																																																																																																			
141	1,240	241	620	Petition to Revive - unintentional																																																																																																																																																			
142	1,270	242	650	Utility/Reissue issue fee (inc. advance copies)																																																																																																																																																			
143	470	243	250	Design issue fee (inc. advance copies)																																																																																																																																																			
122	130	122	130	Petitions to the Commissioner	130																																																																																																																																																		
123	50	123	50	Petitions related to provisional applications																																																																																																																																																			
126	240	126	240	Submission of Information Disclosure Statement																																																																																																																																																			
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																			
Other Fee (specify) _____																																																																																																																																																							
Subtotal (3) \$130																																																																																																																																																							
FEE CALCULATION																																																																																																																																																							
1. BASIC FILING FEE																																																																																																																																																							
Large Entity Fee	Small Entity Fee																																																																																																																																																						
Code	(\$)	Code	(\$)																																																																																																																																																				
101	710	201	355																																																																																																																																																				
106	320	206	160																																																																																																																																																				
108	710	208	355																																																																																																																																																				
114	150	214	75																																																																																																																																																				
Subtotal (1) \$ 710																																																																																																																																																							
2. EXTRA CLAIM FEES																																																																																																																																																							
Number Claims	Prior**	Extra	Fee from Below																																																																																																																																																				
Total	16	20	0																																																																																																																																																				
Indep.	4	3	1																																																																																																																																																				
Subtotal (2) \$ 80																																																																																																																																																							

Signature Christopher R. Christenson

Reg. No. 42,413

Date 2-21-01

Deposit Account No. 23-1123